

UNITED STATES DISTRICT COURT
IN AND FOR THE SOUTHERN DISTRICT OF IOWA

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OCT 17 2011

CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF IOWA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WINNIFER ELVIDGE,

Defendant.

CASE NO. 3:10-cr-87

ORDER CONTINUING TRIAL

At the request of Defendant, trial in this case is continued, and rescheduled for the period beginning Nov 5, 2012. Pursuant to 18 U.S.C. § 3161, IT IS ORDERED that the time between the motion and new trial date is excluded from Speedy Trial Act calculations. Additionally, the Court finds that a continuance is in the interest of justice, which outweigh the interests of the public and Defendant(s) in a speedy trial, for the following reasons:

- ☐ Delay associated with proceedings to determine competency. 18 U.S.C. § 3161(h)(1)(A).
- ☐ Delay associated with the need to resolve pretrial motions. 18 U.S.C. § 3161(h)(1)(D).
- ☐ Delay associated with consideration by the Court of a proposed plea agreement. 18 U.S.C. § 3161(h)(1)(G).
- ☐ Delay associated with absence or unavailability of the defendant or an essential witness. 18 U.S.C. § 3161(h)(3)(A).
- ☐ Reasonable delay for a defendant who is joined for trial with a co-defendant(s) whose time for speedy trial has not elapsed, and no motion for severance has been granted. 18 U.S.C. § 3161(h)(6).
- ☒ Case is so unusual or complex that it is unreasonable to expect adequate preparation for pretrial and/or trial proceedings. 18 U.S.C. § 3161(h)(8)(B)(ii).
- ☐ Case is not unusual or complex, but defendant(s) needs time to retain counsel or have continuity of counsel. 18 U.S.C. § 3161(h)(7)(B)(iv).
- ☒ A failure to grant continuance will deny reasonable time necessary for adequate preparation for trial even with the exercise of due diligence by the parties. 18 U.S.C. § 3161(h)(7)(B)(iv).
- ☒ Other: Defendant requires medical treatment

Dated this 17th day of October, 2011.

UNITED STATES MAGISTRATE JUDGE